

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of: Huey-Jiun NGO	Confirmation No.: 6314
Application No.: 10/758,768	Group Art Unit: 2169
Filed: January 16, 2004	Examiner: Bromell, A.
Customer No.: 25537 Attorney Docket: SKY03007	

For: METHOD AND SYSTEM FOR MOBILE TELEMETRY DEVICE PRIORITIZED
MESSAGING

APPEAL BRIEF

Honorable Commissioner for Patents
Alexandria, VA 22313-1450

Dear Sir:

This Appeal Brief is submitted in support of the Notice of Appeal dated October 6, 2008.

I. REAL PARTY IN INTEREST

The real party in interest of the present application, solely for purposes of identifying and avoiding potential conflicts of interest by board members due to working in matters in which the member has a financial interest, is Verizon Communications Inc. and its subsidiary companies, which currently include Verizon Business Global, LLC (formerly MCI, LLC) and Cellco Partnership (doing business as Verizon Wireless, and which includes as a minority partner affiliates of Vodafone Group Plc). Verizon Communications Inc. or one of its subsidiary companies is an assignee of record of the present application.

II. RELATED APPEALS AND INTERFERENCES

Appellants are unaware of any related appeals and interferences.

III. STATUS OF THE CLAIMS

Claims 1-25 are pending in this appeal. No claim is allowed. This appeal is therefore taken from the final rejection of claims 1-25 on July 7, 2008.

IV. STATUS OF AMENDMENTS

The amendment filed September 5, 2008 has been entered.

V. SUMMARY OF THE CLAIMED SUBJECT MATTER

The present invention addresses problems associated with prioritizing messages for tracking mobile telemetry devices for fleet and asset management.

Independent claim 1 provides for the following:

1. A method for prioritizing transmission of messages from a telemetry device (See, e.g., Specification ¶ [01]), the method comprising:

storing a first information element in a device log in the telemetry device (See, e.g., Specification ¶¶ [11], [51], [54]; Figs 1 and 2, elements 103, 207);

determining whether the first information element includes a first priority level indication (See, e.g., Specification ¶¶ [11], [51], [54]; Figs 1 and 2, elements 103, 207);

storing the first information element in a first data structure in the telemetry device when it is determined that the first information element includes the first priority level indication (See, e.g., Specification ¶¶ [11], [51], [54]; Figs 1 and 2, elements 103, 207);

storing a second information element in the device log (See, e.g., Specification ¶¶ [11], [51], [54]; Figs 1 and 2, elements 103, 207);

determining whether the second information element includes a second priority level indication (See, e.g., Specification ¶¶ [11], [51], [54]; Figs 1 and 2, elements 103, 207);

storing the second information element in a second data structure in the telemetry device when it is determined that the second information element includes the second priority level indication (See, e.g., Specification ¶¶ [11], [51], [54]; Figs 1 and 2, elements 103, 207);

transmitting a first message based on the first information element from the telemetry device for receipt by an operation unit (See, e.g., Specification ¶ [11]); and

after transmitting the first message, transmitting a second message based on the second information element from the telemetry device for receipt by the operation unit, wherein an ordering of transmission is based on the first and second level priority indications (See, e.g., Specification ¶ [11]).

Independent claim 8 provides for the following:

8. A telemetry device for prioritizing transmission of messages from the telemetry device, the telemetry device comprising:

a device log including a first information element and a second information element (See, e.g., Specification ¶¶ [11], [51]; Fig. 2a, element 207);

a first data structure, other than the device log, including the first information element which includes a first priority level indication (See, e.g., Specification ¶¶ [53], [54]; Fig. 2a, elements 213, 215, 217, 219);

a second data structure, other than the device log, including the second information element which includes a second priority level indication (See, e.g., Specification ¶ [54]; Fig. 2a, element 223); and

a processor (See, e.g., Specification ¶ [52]; Fig. 2a, element 225) configured to determine whether the first information element includes a first priority level indication, to determine whether the second information element includes a second priority level indication, to transmit a first message based on the first information element from the telemetry device for receipt by an operation unit, and after transmitting the first message, to transmit a second message based on the second information element from the telemetry device for receipt by the operation unit, wherein an ordering of transmission is based on the first and second level priority indications (See, e.g., Specification ¶¶ [12], [54], [61]-[70]; Figs. 2b, 2c).

Independent claim 15 provides for the following:

15. A computer-readable medium (See, e.g., Specification ¶ [13]) carrying one or more sequences of one or more instructions for prioritizing transmission of messages from a telemetry device, the one or more sequences of one or more instructions including instructions which, when executed by one or more processors, cause the one or more processors to perform the steps of:

storing a first information element in a device log in the telemetry device (See, e.g., Specification ¶¶ [11], [51], [54]; Figs 1 and 2, elements 103, 207);

determining whether the first information element includes a first priority level indication (See, e.g., Specification ¶¶ [11], [51], [54]; Figs 1 and 2, elements 103, 207);

storing the first information element in a first data structure in the telemetry device when it is determined that the first information element includes the first priority level indication (See, e.g., Specification ¶¶ [11], [51], [54]; Figs 1 and 2, elements 103, 207);

storing a second information element in the device log (See, e.g., Specification ¶¶ [11], [51], [54]; Figs 1 and 2, elements 103, 207);

determining whether the second information element includes a second priority level indication (See, e.g., Specification ¶¶ [11], [51], [54]; Figs 1 and 2, elements 103, 207);

storing the second information element in a second data structure in the telemetry device when it is determined that the second information element includes the second priority level indication (See, e.g., Specification ¶¶ [11], [51], [54]; Figs 1 and 2, elements 103, 207);

transmitting a first message based on the first information element from the telemetry device for receipt by an operation unit (See, e.g., Specification ¶ [11]); and

after transmitting the first message, transmitting a second message based on the second information element from the telemetry device for receipt by the operation unit, wherein an ordering of transmission is based on the first and second level priority indications (See, e.g., Specification ¶ [11]).

Independent claim 22 provides for the following:

22. A method for prioritizing transmission of messages from a telemetry device (See, e.g., Specification ¶ [14]), the method comprising:

storing a plurality of information elements in a device log in the telemetry device (See, e.g., Specification ¶ [14]);

selectively storing each of a group of the plurality of information elements in one of a plurality of data structures in the telemetry device based on a priority indicator associated with each one of the information elements of the group (See, e.g., Specification ¶¶ [14], [51]-[57], Fig. 2a, elements 207, 213, 215, 217, 219, 223);

selecting one of the plurality of data structures based on one of the priority indicators (See, e.g., Specification ¶¶ [14], [51]-[57], Fig. 2a, elements 207, 213, 215, 217, 219, 223); and

transmitting a message including one of the information elements of the selected one of the data structures from the telemetry device for receipt by an operation unit (See, e.g., Specification ¶ [14]).

Independent claim 24 provides for the following:

24. An apparatus for prioritizing transmission of messages from a telemetry device (See, e.g., Specification ¶ [15]), the apparatus comprising:

means for storing a plurality of information elements in a device log in the telemetry device (See, e.g., Specification ¶¶ [15], [51], Fig. 2a, element 207);

means for selectively storing a group of each of the plurality of information elements in one of a plurality of data structures in the telemetry device based on a priority indicator associated with each one of the information elements (See, e.g., Specification ¶¶ [15], [51]-[57], Fig. 2a, elements 207, 213, 215, 217, 219, 223);

means for selecting one of the plurality of data structures based on one of the priority indicators (See, e.g., Specification ¶ [15]); and

means for transmitting a message including one of the information elements of the selected one of the data structures from the telemetry device to an operation unit (See, e.g., Specification ¶ [15]).

VI. GROUND OF REJECTION TO BE REVIEWED ON APPEAL

Whether claims 1-22 and 24 are anticipated under 35 U.S.C § 102(b) by *Duske, Jr. et al.* (US 6,992,991)?

Whether claims 23 and 25 are obvious under 35 U.S.C. § 103 based on *Duske, Jr. et al.* (US 6,992,991) in view of *Lebel et al.* (US 6,740,075)?

VII. ARGUMENT

A. CLAIMS 1-22 AND 24 ARE NOT ANTICIPATED OVER *DUSKE, JR. ET AL.*, BECAUSE *DUSKE, JR. ET AL* FAILS TO DISCLOSE THE STORAGE OF A FIRST INFORMATION ELEMENT IN A FIRST DATA STRUCTURE WHEN THE FIRST INFORMATION ELEMENT INCLUDES A FIRST PRIORITY LEVEL INDICATION AND THE STORAGE OF A SECOND INFORMATION ELEMENT IN A SECOND DATA STRUCTURE WHEN THE SECOND INFORMATION ELEMENT INCLUDES A SECOND PRIORITY LEVEL INDICATION

To anticipate a patent claim, every element and limitation of the claimed invention must be found in a single prior art reference, arranged as in the claim. *Karsten Mfg. Corp. v. Cleveland Golf Co.*, 242 F.3d 1376, 1383, 58 USPQ2d 1286, 1291 (Fed. Cir. 2001); *Scripps Clinic & Research Foundation v. Genentech, Inc.*, 927 F.2d 1565, 1576, 18 USPQ2d 1001, 1010 (Fed. Cir. 1991). The Examiner has the initial burden of establishing a *prima facie* case of anticipation.

Independent claim 1, for example, recites, *inter alia*, “storing a first information element in a device log in the telemetry device; determining whether the first information element

includes a first priority level indication; **storing** the first information element **in a first data structure** in the telemetry device **when it is determined that the first information element includes the first priority level indication**; **storing** a second information element **in the device log**; determining whether the second information element includes a second priority level indication; storing the second information element in **a second data structure** in the telemetry device **when it is determined that the second information element includes the second priority level indication.**”

The Final Office Action of July 7, 2008 cites col. 28, lines 1-9, of *Duske, Jr. et al.* for the storing of both the first and second information element in a device log, and cites col. 20, lines 40-63, of the reference for determining whether the first and second information elements include first and second priority level indications, respectively.

The rationale of the Final Office Action is respectfully in error as *Duske, Jr. et al.* does not disclose what the Final Office Action stipulates. The cited portion of 20 relates to a software context of interfaces to the software of a mobile communication system as depicted in FIG. 7A. As is indicated in that cited portion, a “message proforma” is a template that defines the contents of a message to be transmitted over a network, as well as the processing required for, or by, the message. The “priority,” at which messages using this message proforma should be sent, is an attribute of the proforma object. The cited portion of col. 28 relates to message logs:

The software requirements in this section relate to the Message Log object. A message log in this context is an object that contains a list of message objects. The software will maintain five message logs:
Incoming Message Log (IML)
Outgoing Message Log (OML)
Network Message Log (NML)
Saved Message Log (SML).
Data Message Log (DML).

As is clear from these portions of *Duske, Jr. et al.*, message logs are maintained and templates defining the contents of a message have, as one attribute, a predetermined priority at which messages using that template should be sent. *Duske, Jr. et al.* fails to disclose the storage of two separate information elements in two separate data structures and, more importantly, storing these elements in response to a specified condition. Hence, there can be no disclosure of **storing a first information element “in a first data structure in the telemetry device when it is determined that the first information element includes the first priority level indication”** and **“storing the second information element in a second data structure in the telemetry device when it is determined that the second information element includes the second priority level indication,”** as claimed. *Duske, Jr. et al.* specifies no such condition of first and second information elements including, respectively, a “first priority level indication” and a “second priority level indication” prior to storing these information elements. The template, or message proforma, in *Duske, Jr. et al.* requires a message in this format to have a priority at which a message is sent, but the **determination that a message**, or information element, **includes this priority is not a precondition for storing the message**, or information element, in a first or second data structure, as required by the instant claims.

At page 2 of the Advisory Action, the Examiner repeats the conclusion that *Duske, Jr. et al.* discloses the claimed storage of information elements (messages) in a log (queue) with respect to priority (position in the queue) [citing col. 8, lines 1-9] with the priority or position in the queue being influenced by priority levels of emergency, high, medium, or low [citing col. 20, lines 60-63].

While it is true that *Duske, Jr. et al.* teaches messages of differing priorities, the Examiner has evinced no evidence, nor can the Examiner evince such evidence since *Duske, Jr. et al.*

comprises no teaching of “**when it is determined that the first information element includes the first priority level indication**” and “**when it is determined that the second information element includes the second priority level indication.**”

The Examiner argues, in the Advisory Action, that *Duske, Jr. et al.* teaches information elements stored in separate messages and that the priority of these messages in a queue is influenced by priority levels. Even assuming, *arguendo*, the correctness of the Examiner’s assertion anent storage of information elements in separate messages in accordance with priority, the storage of messages in a queue based on priority is made by comparing relative priorities and placing the messages in the queue accordingly. This is different from first “storing the first information element in a first data structure in the telemetry device when it is determined that the first information element includes the first priority level indication” and then “storing the second information element in a second data structure in the telemetry device when it is determined that the second information element includes the second priority level indication.” Thus, while storage in a queue based on priority is based on the relative priority of members of the queue, the instant claims on appeal require the storage of a first information element in a first data structure **when it is determined that the first information element includes the first priority level indication.** Thus, if there is a first priority level indication in the first information element, **it will be stored in a first data structure**, no matter what the priority level of other information elements may be. Similarly, if there is a second priority level indication in the second information element, **it will be stored in a second data structure**, no matter what the priority level of other information elements may be. The first and second level indications are not compared vis-à-vis each other to determine a place in a queue.

Moreover, in accordance with the Examiner's analysis, the queue appears to be analogized to the claimed "device log." A queue of messages is not equivalent to a physical "device log." To the extent the Examiner is employing a queue as the data structure into which the first and second information elements are stored in accordance with their priority levels, this does not meet the instant claim language. The Examiner's queue would be a single structure and does not constitute the first and second data structures, or plurality of data structures, required by the claims on appeal. The fact that a priority level of a message may affect its place in a queue, is not a teaching or a suggestion of **storing** a first information element **"in a first data structure** in the telemetry device **when it is determined that the first information element includes the first priority level indication"** and **"storing the second information element in a second data structure** in the telemetry device **when it is determined that the second information element includes the second priority level indication,"** as positively claimed.

Independent claims 15, 22, and 24 contain similar features are for the reasons above, are also not anticipated by *Duske, Jr. et al.*

The argument above, anent claim 1, applies *a fortiori* with regard to independent claim 8, for example, where it is very clear that the data log is separate from the data structure in the recitation of "a first data structure, **other than the device log**, including the first information element which includes a first priority level indication; a second data structure, **other than the device log**, including the second information element which includes a second priority level indication." *Duske, Jr. et al.* clearly fails to disclose first and second data structures different than, or **"other than the device log,"** and the Examiner, explaining the rejection of claim 8 at pages 6-7 of the Final rejection, fails to come to grips with this claim feature.

At page 2 of the Advisory Action, the Examiner asserts that there are separate message logs other than the outgoing device log, and that there “may” be one log for outgoing messages, and one log for saved (draft) messages, referring to Fig. 8-5. Fig. 8-5 is merely an illustration of a graphic display of a mobile communication terminal and does not disclose **first and second data structures other than the device log**, as recited in claim 8. To whatever extent the Examiner speculates that the reference “may” employ first and data structures other than the device log, in the manner claimed, deficiencies in the factual basis of an Examiner’s case cannot be supplied by resorting to speculation or unsupported generalizations. *In re Freed*, 425 F.2d 785, 165 USPQ 570 (CCPA 1970); *In re Warner*, 379 F.2d 1011, 154 USPQ 173 (CCPA 1967).

Since each and every element of the claims is not taught by *Duske, Jr. et al.*, the Examiner is respectfully requested to withdraw the rejection of claims 1-22 and 24 under 35 U.S.C. § 102(b).

The rejection of claims 1-22 and 24 must be reversed, because *Duske, Jr. et al.* does not disclose all features of the claims.

B. CLAIMS 23 AND 25 ARE NOT RENDERED OBVIOUS BY *DUSKE, JR. ET AL.* AND *LEBEL ET AL.* BECAUSE *LEBEL ET AL.* FAILS TO PROVIDE FOR THE DEFICIENCIES OF *DUSKE, JR. ET AL.* AND ALSO FAILS TO SUGGEST THE SPECIFIC FEATURES OF CLAIMS 23 AND 25

With regard to the rejection of claims 23 and 25 under 35 U.S.C. § 103, since *Lebel et al.* does not provide for the deficiencies of *Duske, Jr. et al.*, as explained above, no *prima facie* case of obviousness has been established with regard to these claims.

However, these claims are separately patentable for the following reasons:

Claims 23 and 25 recite, “storing the plurality of data structures in a memory including the device log, when an external power source of the telemetry device fails.”

Appellants do not deny that *Lebel et al.* provides a general teaching of a replacement battery when power fails within a communication device. However, there is no teaching within *Lebel et al.* relative to actually “storing a plurality of data structures in a memory including the device log,” when the power fails.

Accordingly, no *prima facie* case of obviousness has been established with regard to claims 23 and 25.

VIII. CONCLUSION AND PRAYER FOR RELIEF

For the foregoing reasons, Appellants request the Honorable Board to reverse each of the Examiner’s rejections.

To the extent necessary, a petition for an extension of time under 37 C.F.R. §1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 504213 and please credit any excess fees to such deposit account.

Respectfully Submitted,

DITTHAVONG MORI & STEINER, P.C.

December 8, 2008
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IX. CLAIMS APPENDIX

1. A method for prioritizing transmission of messages from a telemetry device, the method comprising:

storing a first information element in a device log in the telemetry device;

determining whether the first information element includes a first priority level indication;

storing the first information element in a first data structure in the telemetry device when it is determined that the first information element includes the first priority level indication;

storing a second information element in the device log;

determining whether the second information element includes a second priority level indication;

storing the second information element in a second data structure in the telemetry device when it is determined that the second information element includes the second priority level indication;

transmitting a first message based on the first information element from the telemetry device for receipt by an operation unit; and

after transmitting the first message, transmitting a second message based on the second information element from the telemetry device for receipt by the operation unit, wherein an ordering of transmission is based on the first and second level priority indications.

2. A method according to claim 1, wherein the first data structure includes a first queue, the second data structure includes a second queue, and the device log includes a third queue.

3. A method according to claim 1, wherein the first data structure is associated with the first priority level indication and the second data structure is associated with a second priority level indication.

4. A method according to claim 1, further comprising:

determining whether a third information element absent from the device log includes a third priority level indication;

storing the third information element in a third data structure when it is determined that the third information element includes the third priority level indication; and

after transmitting the second message, transmitting a third message based on the third information element, wherein the ordering of transmission is further based on the first, second, and third level priority indications.

5. A method according to claim 1, further comprising:

storing a fourth information element in the device log;

determining whether the fourth information element includes the first priority level indication;

determining whether the first data structure includes storage available for storing the fourth information element when it is determined that the fourth information element includes the first priority level indication; and

discarding the fourth information element from consideration of storage in the first data structure when the step of determining whether the first data structure includes storage available

determines that storage for storing the fourth information element is unavailable in the first data structure.

6. A method according to claim 1, wherein the first data structure and the second data structure are stored in a dynamic memory included in the telemetry device, and the device log is stored in a flash memory included in the telemetry device.

7. A method according to claim 1, further comprising:

receiving a request for data of the telemetry device; and

transmitting a data message based on content of the device log in response to the request.

8. A telemetry device for prioritizing transmission of messages from the telemetry device, the telemetry device comprising:

a device log including a first information element and a second information element;

a first data structure, other than the device log, including the first information element which includes a first priority level indication;

a second data structure, other than the device log, including the second information element which includes a second priority level indication; and

a processor configured to determine whether the first information element includes a first priority level indication, to determine whether the second information element includes a second priority level indication, to transmit a first message based on the first information element from the telemetry device for receipt by an operation unit, and after transmitting the first message, to transmit a second message based on the second information element from the telemetry device

for receipt by the operation unit, wherein an ordering of transmission is based on the first and second level priority indications.

9. A telemetry device according to claim 8, wherein the first data structure includes a first queue, the second data structure includes a second queue, and the device log includes a third queue.

10. A telemetry device according to claim 8, wherein the first data structure is associated with the first priority level indication and the second data structure is associated with a second priority level indication.

11. A telemetry device according to claim 8, wherein
the processor is further configured to determine whether a third information element absent from the device log includes a third priority level indication, to store the third information element in a third data structure when it is determined that the third information element includes the third priority level indication; and after transmitting the second message, to transmit a third message based on the third information element, wherein the ordering of transmission is further based on the first, second, and third level priority indications.

12. A telemetry device according to claim 8, wherein the device log includes a fourth information element, and

the processor is further configured to determine whether the fourth information element includes the first priority level indication to determine whether the first data structure includes

storage available for storing the fourth information element when it is determined that the fourth information element includes the first priority level indication, and to discard the fourth information element from consideration of storage in the first data structure when the determination of whether the first data structure includes storage available determines that storage for storing the fourth information element is unavailable in the first data structure.

13. A telemetry device according to claim 8, further comprising:

a dynamic memory including the first data structure and the second data structure; and
a flash memory including the device log.

14. A telemetry device according to claim 8, wherein the processor is further configured to receive a request for data of the telemetry device, and to transmit a data message based on content of the device log.

15. A computer-readable medium carrying one or more sequences of one or more instructions for prioritizing transmission of messages from a telemetry device, the one or more sequences of one or more instructions including instructions which, when executed by one or more processors, cause the one or more processors to perform the steps of:

storing a first information element in a device log in the telemetry device;
determining whether the first information element includes a first priority level indication;
storing the first information element in a first data structure in the telemetry device when it is determined that the first information element includes the first priority level indication;
storing a second information element in the device log;

determining whether the second information element includes a second priority level indication;

storing the second information element in a second data structure in the telemetry device when it is determined that the second information element includes the second priority level indication;

transmitting a first message based on the first information element from the telemetry device for receipt by an operation unit; and

after transmitting the first message, transmitting a second message based on the second information element from the telemetry device for receipt by the operation unit, wherein an ordering of transmission is based on the first and second level priority indications.

16. A computer-readable medium according to claim 15, wherein the first data structure includes a first queue, the second data structure includes a second queue, and the device log includes a third queue.

17. A computer-readable medium according to claim 15, wherein the first data structure is associated with the first priority level indication and the second data structure is associated with a second priority level indication.

18. A computer-readable medium according to claim 15, further including instructions for causing the one or more processors to perform the steps of:

determining whether a third information element absent from the device log includes a third priority level indication;

storing the third information element in a third data structure when it is determined that the third information element includes the third priority level indication; and

after transmitting the second message, transmitting a third message based on the third information element, wherein the ordering of transmission is further based on the first, second, and third level priority indications.

19. A computer-readable medium according to claim 15, further including instructions for causing the one or more processors to perform the steps of:

storing a fourth information element in the device log;

determining whether the fourth information element includes the first priority level indication;

determining whether the first data structure includes storage available for storing the fourth information element when it is determined that the fourth information element includes the first priority level indication; and

discarding the fourth information element from consideration of storage in the first data structure when the step of determining whether the first data structure includes storage available determines that storage for storing the fourth information element is unavailable in the first data structure.

20. A computer-readable medium according to claim 15, wherein the first data structure and the second data structure are stored in a dynamic memory included in the telemetry device, and the device log is stored in a flash memory included in the telemetry device.

21. A computer-readable medium according to claim 15, further including instructions for causing the one or more processors to perform the steps of:

receiving a request for data of the telemetry device; and

transmitting a data message based on content of the device log in response to the request.

22. A method for prioritizing transmission of messages from a telemetry device, the method comprising:

storing a plurality of information elements in a device log in the telemetry device;

selectively storing each of a group of the plurality of information elements in one of a plurality of data structures in the telemetry device based on a priority indicator associated with each one of the information elements of the group;

selecting one of the plurality of data structures based on one of the priority indicators; and

transmitting a message including one of the information elements of the selected one of the data structures from the telemetry device for receipt by an operation unit.

23. A method according to claim 22, further comprising:

storing the plurality of data structures in a memory including the device log, when an external power source of the telemetry device fails.

24. An apparatus for prioritizing transmission of messages from a telemetry device, the apparatus comprising:

means for storing a plurality of information elements in a device log in the telemetry device;

means for selectively storing a group of each of the plurality of information elements in one of a plurality of data structures in the telemetry device based on a priority indicator associated with each one of the information elements;

means for selecting one of the plurality of data structures based on one of the priority indicators; and

means for transmitting a message including one of the information elements of the selected one of the data structures from the telemetry device to an operation unit.

25. An apparatus according to claim 24, further comprising:

means for storing the plurality of data structures in a memory including the device log, when an external power source of the telemetry device fails.

X. EVIDENCE APPENDIX

Appellants are unaware of any evidence that is required to be submitted in the present Evidence Appendix.

XI. RELATED PROCEEDINGS APPENDIX

Appellants are unaware of any related proceedings that are required to be submitted in the present Related Proceedings Appendix.